REMARKS

At the outset, Applicants note the Examiner's suggestion on the third line of page 10 of the Office Action that a statement by Applicants in connection with Applicants' comments on the restriction requirement put forth for this application is "disingenuous" as it suggests that the genus of compounds of component (a) and the genus of compounds of (b2) have been examined. Applicants submit that the statement identified by the Examiner is a straightforward one that is clearly supported by the record; and that the suggestion of disingenuousness by the Examiner is clearly without basis and is contrary to the standard of courtesy normally associated with U.S. Patent and Trademark Office communications. If there is some as yet unspecified basis for this mischaracterization of Applicants' comments as "disingenuous", the Examiner is respectfully requested to set forth that basis with specificity.

Further comments questioning the restriction requirement itself are included below. Claims 9, 11, 26, 29 and 31 have been amended. Claim 26 has been amended as more specifically indicated above to specifically require a (b6) component and to include certain weight ratio ranges. Applicants note the first full paragraph on page 42 and original Claim 7 in connection with the weight ratio ranges. Claim 29 has been amended as more specifically indicated above to relate to certain embodiments of Claim 7 which are formulations containing fungicidal active ingredients for controlling plant diseases caused by fungal plant pathogens and at least one additional component selected from the group consisting of agriculturally suitable liquid diluents, solid diluents and surfactants; wherein said formulation contains from 0.01 to 99.99 weight percent of said active ingredients; and wherein said active ingredients consist essentially of the components listed therein. Applicants note the Formulation/Utility disclosure beginning on page 44 for disclosure relating to such formulations. Claim 29 (as amended) includes a weight ratio rather than using the word "synergistic". Applicants note Table A on pages 52 and 53 of the specification for test results involving compositions wherein the weight ratio of 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide to famoxadone is 10:50. Claim 31 (as amended) includes a weight ratio range rather than using the word "synergistic". Applicants note the first full paragraph on page 42 of the specification for support. Claim 9 has been amended to more specifically relate to a method for the preventive control of plant disease caused by the pathogen *Phytophthora infestans* in potato plants, and to involve inter alia applying a composition of Claim 7 and applying component (a) and component (b2) thereof in amounts effective to provide synergistic control of said pathogen. Claim 11 has been amended to relate to certain embodiments of he method of Claim 9 wherein component (a) is 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide and component

(b2) is famoxadone; and wherein the weight ratio of famoxadone to is 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide is 50:10. Reference is made again to the test results in Table A on pages 52 and 53 of the specification.

I. Restriction

Applicants continue to disagree with the requirement to restrict for this application for the reasons set forth in the Amendment dated October 20, 2008. The Examiner may also wish to review MPEP 1850 again which Applicants note suggests inter alia that (i) if a main claim is held to lack novelty and inventive step, there may be a unity consideration between two or more dependent claims without a single general inventive concept (see the first full paragraph on MPEP page 1800-99) and (ii) if an independent claim avoids the prior art no problem of lack of unity arises with respect to lack of unity in respect to any claims that depend on the independent claim, regardless of whether the dependent claims relate to further inventions (see the last paragraph on MPEP page 1800-99). Applicants submit, for example, that even in circumstances where unity of invention might provide a basis for grouping claims based on two features presented in the alternative (i.e., A + X vs. A + Y, where A is not itself inventive and X and Y are each thought to separately convey inventiveness) those same two features (X and Y) can be appropriately combined by an applicant while maintaining unity of invention (A + X + Y) since there clearly would be a common inventive concept (i.e., A, if A is itself inventive; A + X, if A + X is inventive but A itself is not; or A + X + Y, if A + X + Y is inventive but A + X is not). Applicants further submit in connection with this example, that it would clearly not be appropriate to separately group A, A + X and A + X + Y where only A + X + Y is inventive because A itself and A + X without Y would not represent inventive concepts; and unity of invention should not be misused to limit an applicant to a single uninventive concept. Moreover, while principles (i) and (ii) above are put in terms of main (or independent) claims versus dependent claims, Applicants further note that the basic criteria for unity of invention are the same, regardless of the manner Applicants choose to draft a claim or claims (see MPEP1893.03(d)). Also, although lack of unity of invention should be raised in clear cases, it should neither be raised nor maintained on the basis of a narrow, literal or academic approach (see the third full paragraph on MPEP page 1800-99). In any event, Applicants submit that principle (i) in particular signifies that under unity of invention the Examiner should not avoid examining a claim that adds another feature (e.g., synergy ?) to a main claim thought to be unpatentable over art (even if it provides a further inventive concept) even where the examiner asserts that only one patentable invention needs to be considered. In other words, Applicants submit that the test for unity of invention is not whether a separate technical feature is presented (or whether there is only a single technical feature common to all claims) but whether there is a common technical feature; and an

attempt to prevent Applicants from adding claims to embodiments of the invention being examined that have additional basis for patentability is clearly not in conformance with ordinary USPTO examination procedures.

Applicants also note the observation that "Applicants reasonably ask how claims 6 and 7 can reasonably be included in the examination while claims 21-23 are not" at the bottom of page 2 in the June 9, 2008 Decision on Petition for this application. Claims 22 and 23 have been canceled; but Claim 21 remains pending and has been again withdrawn from consideration, while the elected group contains claims 1, 6 and 7 (see also claims 9, 11, 26, 29, 30 and 31 which require a third component that either is metalaxyl or can be metalaxyl). Moreover, as explained in Applicants' prior Amendment, all remaining claims encompass combinations of the compound of Claim 17, famoxadone and metalaxyl. Applicants submit that even assuming arguendo that examination is properly limited to a combination including those three components, all of the remaining claims can (like Claim 1) still be properly examined under unity practice, at least to the extent that they read on that combination.

In addition, Applicants note the following.

A.

The Office Action appears to suggest that Applicants' concern over the assertion in the Office Actions for this application that the combinations of component (a) and component (b2) are suggested by the indicated documents, is properly addressed by petition and, if necessary appeal in federal court. Applicants note that this suggested alternative clearly results in a loss by Applicants of the due process ordinarily available to applicants for patents at the USPTO of having the Examiner's position on patentability administratively reviewed within the PTO by the Board of Patent Appeals and Interferences. Moreover, regardless of the Examiner's grouping of claims in this application, Applicants note that a finding that combinations of components (a) and (b2) are patentable clearly remains pertinent to the patentability of the claims which the Examiner proposes to consider. Accordingly, the Examiner may wish to reconsider the restriction after considering the discussion relating to 35 U.S.C. 103 below. U.S. Patent No. 6,753,339 is being made of record as an example of a patent filed pursuant to 35 USC 371 where claims (which depend from a claim to a fungicidal composition comprising a synergistic fungicidally effective amount of two components) are directed to a composition including another fungicidal active material (see claims 2 and 10 therein).

B.

The Office Action appears to now suggest that to the extent that synergy can be considered a special technical feature, it would link those claims in which it is recited. However, the Office Action then suggests that obtaining combinations which are synergistic is a matter of routine experimentation. The technical aspects of synergy will be addressed in the

discussion relating to 35 U.S.C. 103 below. With regard to unity of invention, Applicants submit that at least to the extent that composition claims explicitly requiring synergy (i.e., claims 24-28) read on the combination of components (a), (b2) and (b6), they should be considered suitable for examination either under "principle (i)" above (if the main combination of components (a), (b2) and (b6) is thought by the Examiner to be unpatentable over prior art) or under "principle (ii)" above (if the main combination of components (a), (b2) and (b6) is considered by the Examiner to avoid the prior art). Applicants further submit that this would be appropriate in any event where synergy is already a feature of claims being examined (see method claims 9 and 11, and the discussion relating to 35 U.S.C. 103 below).

C.

The Office Action asserted that Claim 29 (which depends from Claim 7) did not share the same technical feature as the claim from which it depended. While the Examiner's position in this regard is not entirely clear, Claim 29 has been amended as indicated above to inter alia recite a weight ratio. Applicants submit that the recited combinations having this weight ratio are in any event properly included in the "Claim 7 group" and examined as a dependent claim. In connection with including synergy and/or ratios, U.S. Patent Nos. 7,288,555 and 7,326725 are being made of record as examples of patents where weight ratio ranges are provided in Claim 1; and U.S. Patent Nos. 7,173,049 and 5,948,805 are being made of record as examples of patents where both "synergistic" and ratios are provided in Claim 1 (Applicants further note that the first three of these four patents involve a component related to component (a) in the present application, and the fourth involves a component related to component (b2) in the present application). See also above-referenced U.S. Patent No. 6,753,339.

D.

The Office Action, after briefly addressing Claim 29, then indicated that Claim 30 was without further explanation (together with Claim 29 and Claim 31) not linked to the "Claim 7" group (Group III). Applicants note that Claim 29 depends from Claim 7 and recites the three components identified by Applicants in connection with the species selection requirement. Applicants submit that combinations involving these three components are in any event properly included in the "Claim 7 group" and examined as a dependent claim. Claim 30 has not been amended. Applicants await a NON-FINAL examination of this claim.

E.

Claim 31 depends from Claim 30. As with Claim 29, the Examiner's position with regard to Claim 31 is not entirely clear. Nevertheless, Claim 31 has been amended as indicated above to recite a weight ratio range. Applicants submit that combinations having weight ratios within this range are in any event properly included in the "Claim 7 group" and examined as a dependent claim since the weight ratio range is within the range recited in Claim 7 from which it indirectly depends.

F.

The Office Action characterizes as reflecting "a traditional US restriction practice mindset," Applicants' comments regarding the propriety during "unity of invention" grouping to consider "restriction principles" to the extent that they relate to the potential for separate patents (which might ultimately be subject to a different patent term and/or ultimately be assigned to a different owner) having within their scope the same product. Applicant notes that restriction has been required for this application under 35 U.S.C. 121 (as well as 35 U.S.C. 372); and that 35 U.S.C. 121 indicates (in part) that a patent issuing on an application with respect to which a requirement for restriction under this section has been made, or an application filed as a result of such requirement, shall not be used as a reference either in the Patent and Trademark Office or in the courts against a divisional application or against the original application or any patent issued on either of them, if the divisional application is filed before the issuance of the patent on the other application. Accordingly, Applicants respectfully submit that the concerns raised about discretionary restriction under 35 U.S.C. 121 in 803.01 that "IT STILL REMAINS IMPORTANT FROM THE STANDPOINT OF THE PUBLIC INTEREST THAT NO REQUIREMENTS BE MADE WHICH MIGHT RESULT IN THE ISSUANCE OF TWO PATENTS FOR THE SAME INVENTION" would appear worthy of consideration by the Examiner in connection with this application, even though unity of invention also applies.

G.

The Office Action questions Applicants' observation that many of the claims now pending that involve the combination of component (a) and component (b2) (e.g., Claim 1 and Claim 18) have already been examined together, and that no serious burden has been identified in connection with continuing consideration of the claims properly examined. The Office Action insists that examination has been limited to the component (a) of Claim 17 and famoxadone as (b2) with metalaxyl as a third component. Applicants respectfully note the Office Action for this application mailed December 12, 2007, where various claims (e.g., Claim 1 and Claim 18) were rejected in a final action, without the more limiting requirement that metalaxyl be present as a third component. Applicants submit that it is reasonable to conclude that examination has been made of such claims at least to the same extent with respect to components (a) and (b2) as Claims 1, 6 and 7 have been examined in the last Office Action. Moreover, as noted above, even assuming arguendo that examination is properly limited to a combination including those three components, Applicants submit that all of the remaining claims can (like Claim 1) still be properly examined under unity practice, at least to the extent that they read on the currently elected species that includes metalaxyl. This would appear to be particularly appropriate for advancing examination of this application where the date of completion of all 35 U.S.C. 371 requirements is July 9, 2004.

H.

Applicants note that the Office Action dated August 20, 2008 (which provided claims groupings) indicated at page 3 that claims 9 and 11 would be examined with whichever group is elected from Groups I-III. Applicants note that Group III was elected (with traverse); yet the Office Action now (after Applicants' election) includes claims 9 and 11 amongst the claims withdrawn from consideration. Applicants submit that claims to a product and its use are properly examined together under unity of invention practice (see e.g., MPEP 1850 and 37 CFR 1.475(b)(2)); and that even assuming arguendo that examination is properly limited to a combination including the three components examined in connection with Claim 7, method claims should still be examined under unity practice as long as they relate to using that combination. In any event Claims 9 is being amended as indicated above, and now inter alia specifically depends from Claim 7 rather than Claim 1; and Claim 11 (also amended) continues to depend from Claim 9. Applicants submit that examination of these claims is clearly proper under unity of invention practice as a use of the Claim 7 embodiments to which they relate.

II. 35 U.S.C. 103

In the Office Action claims 1, 6 and 7 were rejected as unpatentably obvious under 35 U.S.C. 103(a) based on consideration of U.S. Patent 6,503,933 to Moloney et al. in light of U.S. Patent 6,066,638 to Bereznak et al. and a Jordan et al. article entitled "mode of action of famoxadone". The Office Action maintained that Moloney et al. discloses component (a) compounds such as 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide, Bereznak et al. discloses famoxadone as an "agricultural protectant" that can be mixed with certain fungicidal pyrimidinones, and that Jordan et al. discloses that famoxadone is an inhibitor of mitochondrial electron transport, specifically inhibiting the function of the enzyme ubiquinol:cytochrome c oxidoreductase (cytochrome bc1). The Office action further indicated that Bereznak et al. also teaches metalaxyl as a fungicide that can be mixed with one or more other fungicides for an even broader spectrum of agricultural protection; and that Jordan et al. also teaches that metalaxyl is a known fungicide. The Office Action suggested that it would have been obvious to use 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide as disclosed by Maloney et al. and combine it with the "agricultural protectant" famoxadone and the fungicide metalaxyl as taught by Bereznak et al. and produce the instant invention. The Office Action suggested that one of ordinary skill in the art would have been motivated to do this because Moloney et al. teaches (col. 3, lines 29-32) that the compositions therein can include additional active ingredients (e.g., compounds known to possess fungicidal properties), metalaxyl is a known fungicide (as evidenced by Bereznak et al. and Jordan et al.) and Bereznak et al. teaches (col.

68, lines 58-64) the advantage of combining compounds with fungicidal properties as having an even broader spectrum of agricultural protection. The Office Action further indicated regarding claims 1, 6 and 7 that the composition comprising components (a), (b2) and (b6) would have been obvious over the 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide (component (a)) as disclosed by Maloney et al. in view of the combination of this of this component with an agricultural protectant famoxadone and the fungicide metalaxyl as taught by Bereznak et al.; and regarding Claim 7, that the weight ratios would have been obvious to one of ordinary skill in the art because during the process of routine experimentation, titration of various levels of components would be carried out in order to optimize the efficacy of the composition in controlling fungal pathogens in plants.

Applicants note that the Office Action Summary Sheet does not list claims 29-31 among those withdrawn from consideration, and in fact indicates that claims 29-31 were among those rejected. These claims are discussed above in connection with restriction, and Applicants note that no basis for rejection has been provided in the Office Action for these claims.

Applicants further note, as indicated above, that the Office Action dated August 20, 2008, indicated at page 3 that claims 9 and 11 would be examined with whichever group is elected from Groups I-III. Applicants await examination of claims 9 and 11 (as now amended herein) as a use of the Claim 7 embodiments to which they relate.

A.

Applicants submit that Col. 68, line 58 to Col. 70, line 39 of Bereznak et al. does not suggest combining famoxadone (or any other (b2) compound) or metalaxyl (or any other (b6) compound) with a component (a) compound; and that instead this disclosure is limited to a discussion of combinations including certain fungicidal fused-ring pyrimidinones that are not structurally related to component (a) compounds of the present invention that include both a substituted pyridinyl ring and a substituted phenyl ring that are structurally separated from each other. Indeed, the compounds of the Bereznak et al. invention are, in terms of the present disclosure, (b7) compounds (see the bottom of page 39). Bereznak et al. thus provides examples of compound 37 therein with 5-methyl-5-(4-phenoyphenyl)-3-phenylamino-2,4-oxazolidinedione (i.e., the famoxadone active) and compound 41 therein with 5-methyl-5-(4-phenoyphenyl)-3-phenylamino-2,4-oxazolidinedione (see Column 70, lines 14-16 & 33-35). Applicants further submit that while Col. 3, lines 29-32 of Moloney et al. indicates generally that the compositions can comprise other actives, it does not specifically disclose famoxadone (or any other (b2) compound) or metalaxyl (or any other (b6) compound) or suggest that (b2) and (b6) compounds should be combined. Moreover, Applicants submit that Moloney et al. does not disclose or fairly suggest that combinations with (b2) compounds will provide advantageous results as disclosed by Applicants.

More particularly, Applicants note that it is the present specification (and not Maloney et al. and/or Bereznak et al.) that illustrates that component (a) compounds can be combined with component (b2) compounds to give unexpected results for the treatment of *Phytophthora infestans* (see Table A). Applicants submit that this is sufficient to support the patentability of Claim 1 compositions over Maloney et al. and Bereznak et al..

Applicants are concerned that the Examiner's remarks that the advantageous combination of component (a) and component (b2) is a result of routine experimentation and not an unexpected result, appear to Applicants to be based on the supposition that Bereznak et al. teaches or suggests synergistic compositions similar to the type disclosed in the present application. Applicants submit however, that Bereznak et al. does not teach or suggest this type of synergistic combination of the "(b7)" compounds therein with famoxadone or any other fungicide. Applicants submit that instead, Bereznak et al. discloses that the "(b7)" compounds therein can be combined with certain other fungicides (e.g., famoxadone) to provide a broader spectrum of control of plant pathogens and in certain instances can be useful for resistance management. As disclosed in the present application, synergism is considered the cooperative action of two components of a mixture, such that the total effect is greater or more prolonged than the sum of the effects of the two (or more) taken independently (see page 2, lines 10-13). Applicants submit that this concept of providing synergism is fundamentally different from providing a broader spectrum of control or providing effectiveness for resistance management. Applicants submit that the optimal interaction associated with synergy relies both on the cooperative action of the two components, and whether the components exhibit a complementary physiochemical profile, including the necessary electronic, steric, and conformational properties; and that there is no expectation that this will be achieved prior to actually mixing the components. Accordingly, Applicants submit that one seeking synergistic control of Oomycetes such as *Phytophthora infestans* (e.g., to achieve lower overall fungicide use rates) would clearly not be led by Bereznak et al. to select famoxadone from the many candidates listed therein for potential combination with the Bereznak et al. "(b7)" compounds, and then combine it with 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide to achieve the sought-after synergistic control.

B.

With regard to Claim 6, Applicants note that Claim 6 provides for certain additional active component(s), in addition to the two components of Claim 1 that Applicants have illustrated can be combined with unexpected advantage. Applicants submit that Maloney et al. provides no reasonable suggestion to substitute the compounds of the invention therein for the Bereznak et al. compounds (e.g., compound 37 and compound 41) in the combinations disclosed in Bereznak. et al.. Thus, for example, while Bereznak et al. provides examples of

compound 37 and compound 41 therein with 5-methyl-5-(4-phenoyphenyl)-3-phenylamino-2,4-oxazolidinedione (see Column 70, lines 14-16 & 33-35) and examples of compound 37 therein and compound 41 therein with metalaxyl (see Column 70, lines 11-12 & 31-32), there is clearly no suggestion in Bereznak et al. and/or Maloney et al. to combine 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide (a compound not even mentioned in Bereznak et al.) with both 5-methyl-5-(4-phenoyphenyl)-3-phenylamino-2,4-oxazolidinedione and metalaxyl. Accordingly, the use of additional active as provided by Claim 6 is clearly not disclosed or fairly suggested by Maloney et al. and/or Bereznak et al..

C.

With regard to Claim 7, Applicants note that Claim 7 includes certain component ratio limitations. Applicants note in particular that Claim 7 calls for a weight ratio of component (b2) to component (a) which is 1:1 or higher (i.e., up to 10:1). Applicants submit that use of this high proportion of component (b2) relative to component (a) is a combination that can be considered particularly advantageous for the control of *Phytophthora infestans* in light of the results in Table A of this application. Applicants submit that neither Maloney et al. nor Bereznak et al. disclose or fairly suggest use of this relatively high proportion of component (b2).

Applicants also note that Claim 26 as amended herein includes a weight ratio range of component (b2) to component (a) of from 10:1 to 1:1. Although this claim depends from Claim 24 (which inter alia relates to a "synergistic combination"), Applicants submit that Claim 26 is appropriately examined together with Claim 7, especially in light of the results in Table A of this application.

D.

As noted above, Claim 31 has now been amended to include a weight ratio range of famoxadone to 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide which is well above 1:1 (although it is recited in terms of 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide to famoxadone). Applicants submit that use of this high proportion of famoxadone relative to 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide is a combination that can be considered particularly advantageous for the control of *Phytophthora infestans* in light of the results in Table A of this application. Applicants submit that neither Maloney et al. nor Bereznak et al. disclose or fairly suggest use of this relatively high proportion of famoxadone.

E.

As noted above Claims 29 has now been amended to include a weight ratio. Applicants submit that use of this weight ratio (50:10) of famoxadone to 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide coincides with the ratio of

famoxadone to 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide shown useful for providing synergistic the control of *Phytophthora infestans* in Table A of this application. Applicants submit that neither Maloney et al. nor Bereznak et al. disclose or fairly suggest use of this proportion of famoxadone to 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide in a manner that con provide such synergistic control. Moreover, amended Claim 29 now relates to compositions wherein the active ingredients consist essentially of components (i), (ii) and (iii) as recited therein. Applicants submit that the Bereznak et al. combinations clearly require a Bereznak et al. "(b7)" ingredient, a further clear distinction from the Claim 29 compositions.

F.

Claims 24 through 28 specifically relate to "synergistic combinations". Applicants submit that examination of such "synergistic combinations" is clearly consistent with examination of the advantageous combinations delineated by weight ratio above, and the synergistic control recited by the method of use claims (amended claims 9 and 11). Applicants submit that neither Maloney et al. nor Bereznak et al. disclose or fairly suggest synergistic combination of famoxadone with 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide in a manner illustrated by Applicants in the present application.

In sum, Applicants submit that the advantageous combination of component (a) with component (b2) is a feature sufficient to support examination and allowance of all of the claims pending in this application. Applicants have identified recent examples of U.S. patents (U.S. Patent No 7,173,049, U.S. Patent No. 7,288,555 and U.S. Patent No. 7,326725) where reportedly advantageous combinations of 2,6-dichloro-*N*-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide (or structurally related compounds) with other compounds appear to provide a basis for patentability. Applicants have further identified an example of a U.S. patent (U.S. Patent No. 5,948,805) based on an advantageous combination of 5-methyl-5-(4-phenoyphenyl)-3-phenylamino-2,4-oxazolidinedione with another compound; and an example of a U.S. patent (U.S. Patent No. 6,753,339) where claims depending from a claim to a fungicidal composition comprising a synergistic fungicidally effective amount of two components are directed to a composition including another fungicidal active material are (see claims 2 and 10 therein). For the reasons discussed above, Applicants submit that none of the documents applied in the Office Action disclose or fairly suggest the component (a)/ component (b2) combinations disclosed and claimed by Applicants in the present application, especially when those combinations are used in further combination with other components such as the (b6) compound, metalaxyl.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

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